

# National Human Rights Consultation Submission

AGWW-7N3RYW

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**Submission Text:**

I believe that Australia could do a lot worse than to enshrine in our constitution the Universal Declaration of Human Rights.

I believe this is advisable, as the current government is in danger of introducing legislation for the mandatory filtering of internet access that could violate several of its Articles, as outline below.

Article 10.

"Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him."

The proposed mandatory filter is based on a so-called "black list", which is to remain secret.

There is no provision for the owner of a blocked web site to be notified of the inclusion of its URL on the list, nor is there any appeal mechanism. It would appear that decisions involving the black list are to be made by a single public servant, potentially subject to ministerial influence.

This situation seems to be in violation of Article 10.

Article 12.

"No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks."

The proposed "opt-out" filter will use deep packet inspection to search through web traffic for keywords. This means that anyone using web-mail to access their emails will have their correspondence examined and possibly blocked.

This situation seems to be in violation of Article 12.

Article 19.

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

The proposed mandatory internet filter will interfere with the freedom to seek and receive information and ideas through any media regardless of frontiers - seemingly in violation of Article 19.

The fact that the government of the day can seriously consider such infringement of human rights (to say nothing of the previous government's use of indefinite detention, and detention without trial) highlights the need for our rights to be enshrined in the constitution.

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